

11/16/2007 15:59 5106373724

US ATTORNEYS OFFICE

PAGE 02/04

SCOTT N. SCHOOLS (SC 9990)
United States Attorney
BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division
CHINHAYI J. COLEMAN (CABN 194542)
Assistant United States Attorney
1301 Clay Street, Suite 340-S
Oakland, CA 94612
Telephone: (510) 637-3924
Facsimile: (501) 637-3724
E-Mail: chinhavi.j.coleman@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
JULIO BEJAR-NAVARETE,
Defendant.

No. CR 07-00286 SBA
STIPULATION TO SCHEDULE
HEARING FOR CHANGE OF PLEA AND
SENTENCING; [PROPOSED] ORDER
EXCLUDING TIME

Plaintiff, by and through its attorney of record, and defendant, by and through his attorney of record, hereby stipulate and ask the Court to find as follows:

1. The government and defendant have reached a negotiated disposition in which defendant would plead guilty to an indictment pursuant to a binding plea agreement.
2. Accordingly, the parties hereby submit the proposed plea agreement, submitted under separate cover for the Court's consideration pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C). The parties further stipulate and request that the Court find and order the following:

STIPULATION AND [PROPOSED] ORDER
CR 07-00286 SBA

11/15/2007 15:59 5106373724

US ATTORNEYS OFFICE

PAGE 03/04

(a) That the parties have submitted a plea agreement for the Court's consideration pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C), and that a hearing for change of plea and imposition of judgment and sentence be scheduled for 10:00 a.m. on December 18, 2007; and that the time period from November 27, 2007, through December 18, 2007, is excludable under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(1)(I) because that period of delay results from consideration by the Court of a proposed plea agreement entered into by the defendant and the government pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C).

(b) That the defendant waives his right to a full pre-sentence report by U.S. Probation, and the parties request that U.S. Probation prepare only a criminal history report pertaining to the defendant.

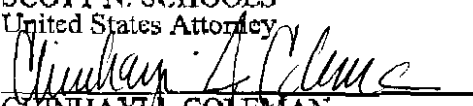
(c) That in light of the above, the status hearing presently set for November 27, 2007, at 11:00 a.m. may be vacated.

IT IS SO STIPULATED.

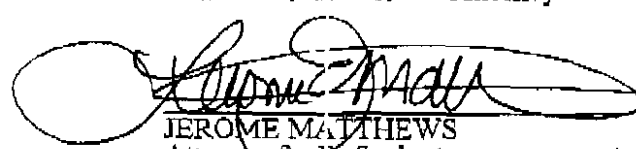
DATE: November 16, 2007

Respectfully submitted,

SCOTT N. SCHOOLS
United States Attorney


CHINHAIYA L. COLEMAN
Assistant United States Attorney

Dated: November 16, 2007


JEROME MATTHEWS
Attorney for Defendant

[PROPOSED] ORDER

FOR GOOD CAUSE SHOWN, IT IS SO FOUND AND ORDERED THAT:

A hearing for change of plea and imposition of judgment and sentence is hereby scheduled for 10:00 a.m. on December 18, 2007. Time is excluded for purposes of the Speedy Trial Act from November 27, 2007, through the hearing date of December 18, 2007, pursuant to

STIPULATION AND [PROPOSED] ORDER
CR 07-00286 SBA

2

11/16/2007 15:59 5186373724

US ATTORNEYS OFFICE

PAGE 84/84

1 18 U.S.C. § 3161(h)(1)(I) because that period of delay results from consideration by the Court of
2 a proposed plea agreement entered into by the defendant and the government pursuant to Federal
3 Rule of Criminal Procedure 11(c)(1)(C).

4 The United States Probation Office is ordered to prepare a presentence report as to
5 criminal history only pertaining to defendant.

6 The status hearing presently set for November 27, 2007, at 11:00 a.m. is hereby vacated.

7
8 DATED: _____

HONORABLE SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT JUDGE

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
STIPULATION AND [PROPOSED] ORDER
CR 07-00286 SBA

3